

Delegated Officer Report (Non Key and Contracts up to a value of £100k)

Decision Maker: Nasir Dad, Director of Environment

Date of Decision: 21 May 2024

Subject: Adoption of Highways – Development at the former Stanley Road Conservative Club, Stanley Road, Chadderton – Green Vale Close

Report Author: Alison Dolan, Senior Technical Admin

Ward (s): Chadderton South

Reason for the decision: To obtain approval for the adoption of highways as Highway Authority and to identify the likely associated revenue costs to the Council.

Summary: The highway at this development has been constructed by the Developer to the Council's currently approved specifications for new highways. The Developer and the Council entered into a Section 38 Agreement (Highways Act 1980) whereby the local authority agreed to adopt the new road and take over the responsibility for maintaining it once it was satisfied that the highway had been built to its specified standards and in accordance with the planning consents which were granted for the development.

This report is the conclusion of this process. The highway has been inspected throughout its construction and has been subject to a twelve-month maintenance period prior to its final inspection and approval for adoption.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s): Option 1: To approve the recommendation.
Option 2: Not to approve the recommendation.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and Councillor G Shuttleworth and Councillor C Goodwin support the proposal.

Recommendation(s):

To adopt, on behalf of the Council as Highway Authority, the highways specified in Schedule 1 at the end of this report as highways maintainable at public expense, effective immediately.

Implications:

*What are the **financial** implications?*

The maintenance cost for increasing the length of adopted road in Oldham by 67 linear metres (650 square metres) as detailed in Schedule 1 of this report is estimated to be £455 annually and will be revenue expenditure.

The adoption of the Highway will also result in growth in the Council's commitment for the maintenance of Street Lighting equipment.

Based on maintenance and electrical supply costs as detailed in schedule 2, this is expected to increase maintenance charges by an estimated £686.73 annually.

These new costs will be funded from existing resources within the Highways Operations and Street Lighting Services.

(John Edisbury)

*What are the **legal** implications?*

None (Alan Evans)

*What are the **procurement** implications?*

None

*What are the **Human Resources** implications?*

None

Oldham Impact Assessment Completed (Including impact on Children and Young People)

No

*What are the **property** implications*

None

Risks:

The adoption of the highways at this location is under a Section 38 agreement with the housing developer and as such even though the adoption will provide an ongoing financial liability to the Council for inspection and maintenance of the highway and street lighting equipment, there are financial/legal and reputation risks which could arise from legal action by the developer and residents if the adoption of the highways does not proceed.

Vicki Gallacher (Head of Insurance and Information Governance)

Co-operative implications

The proposal will ensure we continue to deliver services with a resident focus, keeping the highway maintained and in a safe condition. To maintain co-operative working with residents, it is recommended that residents are consulted on future highways improvements, helping raise awareness of potential future works (Mahmuda Khanom, Policy Support Officer)

Community cohesion disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998

None

Environmental and Health & Safety Implications

In adopting the highway, the Local Authority is taking on responsibility for maintaining it in a safe condition.

IT Implications

None

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Schedule 1

Development at the former Stanley Road Conservative Club, Stanley Road, Chadderton,

Green Vale Close	<p>From its junction with Stanley Road and continuing in a generally south westerly direction for a distance of 43 metres to its cul-de-sac end and continuing from a point 28 metres south-west of its junction with Stanley Road and continuing in a north westerly direction for a distance of 24 metres.</p> <p>Area = 650 m²</p>
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Schedule 2

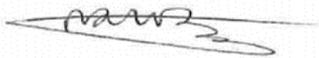
Equipment Type	Annual Maintenance Cost (Per Unit)	Annual Energy Cost (Per Unit)	Quantity	Total AMC + AEC (Annual)
6 metre column	£40.85 (Index linked)	£188.06	3	£686.73
			Total	£686.73

List of Background Papers under Section 100D of the Local Government Act 1972:

There are no background papers for this report.

Report Author Sign-off:	
Alison Dolan	
Date: 17 May 2024	

In consultation with Director of Environment



Signed :

Date: 21.05.2024

LOCATION PLAN - ADOPTABLE HIGHWAY SHADED PINK



Oldham Council
 Civic Centre
 West Street
 Oldham
 OL1 1UT

Drawn by:	AD
Division:	HIGHWAYS
Drawing no:	409/59/C
Date:	30/11/22
Scale:	1:1250

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